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Attorneys for Defendants
 UBER TECHNOLOGIES, INC.
 and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
 OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MELISSA FELDER
 ZAPPALA IN SUPPORT OF
 SUPPLEMENTAL BRIEF ON
 DEFENDANTS UBER TECHNOLOGIES,
 INC.'S AND OTTOMOTTO LLC'S
 MOTION TO EXCLUDE ONE OF THREE
 OPINIONS PROFFERED BY WAYMO
 EXPERT JIM TIMMINS [DKT. 1612]**

Judge: Hon. William H. Alsup
 Trial Date: October 10, 2017

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

1 I, Melissa Felder Zappala, declare as follows:

2 1. I am a partner at the law firm Boies Schiller Flexner LLP representing Defendants Uber
3 Technologies Inc. and Ottomotto LLC (collectively, "Uber") in this matter. I am a member in good
4 standing of the Bar of the District of Columbia. I make this declaration in support of Uber's Motion to
5 Exclude One of Three Opinions Proffered by Waymo Expert Jim Timmins. I make this declaration
6 based on personal knowledge and if called as a witness, I could and would competently testify to the
7 matters set forth herein.

8 2. Attached as **Exhibit 1** is a true and correct copy of excerpts of the August 24, 2017
9 Opening Expert Report of Jim Timmins.

10 3. Attached as **Exhibit 2** is a true and correct copy of excerpts of the deposition transcript of
11 Jim Timmins, dated September 26, 2017.

12 4. Attached as **Exhibit 3** is a true and correct copy of a document produced by [REDACTED]
13 [REDACTED] in this action bearing the Bates numbers [REDACTED] Blattmachr000001
14 through [REDACTED] Blattmachr000026.

15 5. Attached as **Exhibit 4** is a true and correct copy of a document produced by Cybel LLC
16 in this action bearing the Bates numbers SANDSTONE 000001 through SANDSTONE 000007.

17 6. Attached as **Exhibit 5** is a true and correct copy of excerpts of the deposition transcript of
18 Ognen Stojanovski, dated July 20, 2017.

19 7. Attached as **Exhibit 6** is a true and correct copy of a document produced by Uber in this
20 action bearing the Bates numbers UBER00047857 through UBER00047861.

21 8. Attached as **Exhibit 7** is a true and correct copy of excerpts of the deposition transcript of
22 James Haslim, dated August 9, 2017.

23 9. Attached as **Exhibit 8** is a true and correct copy of excerpts of the deposition transcript of
24 James Haslim, dated April 18, 2017.

25 10. Attached as **Exhibit 9** is a true and correct copy of excerpts of the deposition transcript of
26 James Haslim, dated May 4, 2017.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct. Executed this 28th day of September, 2017, in San Francisco, California.

3
4 /s/ Melissa Felder Zappala
5 Melissa Felder Zappala

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7 **ATTESTATION OF E-FILED SIGNATURE**

8 I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this
9 Declaration. In compliance with General Order 45, X.B., I hereby attest that Melissa Felder Zappala has
10 concurred in this filing.

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12 /s/ Karen L. Dunn
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